

## II. VERSION WITH MARKINGS TO SHOW CHANGES MADE

### (a) Markings to show changes made to claim 1.

-- 1. (Once Amended) A method for ordering an advertising spot for an advertisement over a data network to be transmitted to aone or more -target users during a transmission of a motion picture, comprising:

~~providing, by~~receiving from an advertiser, ~~to a broadcaster a~~ one or more predetermined constraints defining the one or more target users ~~for receiving the advertisement;~~

~~using, by the broadcaster, the predetermined constraint to determine~~ determining a price for the advertising spot using the one or more predetermined constraints; and

~~offering, by the broadcaster, transmitting to the advertiser the advertising spot at the price~~ for the advertiser's acceptance, rejection, or counteroffer; and

~~ordering, by the advertiser, the advertising spot based on the price to place the advertisement in the advertising spot to be transmitted to the target user during the transmission of the motion picture. --~~

### (b) Markings to show changes made to claim 2.

-- 2. (Once Amended) The method of claim 1, wherein the one or more predetermined constraints are demographic information ~~of the target user~~ selected from the group consisting of gender, income, hobby, and age. --

### (c) Markings to show changes made to claim 4.

-- 4. (Once Amended) The method of claim 1, wherein the ~~using~~ determining step ~~further comprises:~~

~~determining the price for the advertising spot by:~~

~~providing to the broadcaster, by the advertiser, at least one constraint defining the target individual to receive the advertisement;~~

searching, ~~by the broadcaster,~~ an individual inventory containing a plurality of ~~target individuals,~~ each of the plurality of ~~target individuals~~ having a profile of ~~constraints,~~ the searching performed to determine the one or more target users by comparing each of the one or more predetermined constraints to the profiles of the plurality of ~~target individuals~~ to the profiles of constraints to locate a matches between the one or more predetermined constraints and the profiles of the plurality of target individuals and the profiles of constraints; and

determining from the matches a ~~cost-price~~ for each of transmitting the advertisement to the plurality of one or more target individuals ~~users~~ based on a predetermined formula; and

~~totaling the costs of each of the plurality of target individuals to determine the price for the advertising spot. --~~

(d) Markings to show changes made to claim 5.

-- 5. (Once Amended) The method of claim 4, wherein the predetermined formula ~~further~~ comprises:

apportioning a weighted significance to a saturation level, an age, an income, a gender, and a hobby of each of the one or more target individual ~~users,~~ the saturation level corresponding to a demand for the each target individual user to receive the advertisement. --

(e) Markings to show changes made to claim 6.

-- 6. (Once Amended) The method of claim 5, wherein the demand for each the target individual user further comprises an amount of time available for the each target individual user to receive the advertisement. --

(f) Markings to show changes made to claim 7.

-- 7. (Once Amended) A method for determining a price for an advertising spot for transmitting an advertisement to a one or more target users during a motion picture, comprising:

~~providing to a broadcaster, by~~receiving from an advertiser, a one or more  
predetermined constraints defining the one or more target users that the advertiser desires to  
receive the advertisement;

~~searching, by the broadcaster, an individual inventory containing a plurality of~~  
individuals, each of the plurality of individuals having associated with a profile, the searching  
~~performed to determine the target user by;~~

comparing each of the profiles of the plurality of individuals to the one or more  
predetermined constraints to locate a matches between the profiles of the plurality of individuals  
and the one or more predetermined constraints, the matches identifying the one or more target  
users;

determining from the matches a cost-price for each of~~transmitting the~~  
advertisement to the plurality of individuals one or more target users based on a predetermined  
formula; and

~~totaling the costs of each of the plurality of individuals to determine the price for~~  
~~the advertising spot~~transmitting to the advertiser the price for the advertiser's acceptance,  
rejection, or counteroffer. --

(g) Markings to show changes made to claim 8.

-- 8. (Once Amended) A system for ordering an advertising spot for an  
advertisement over a data network to be transmitted to a one or more target users during a  
transmission of a motion picture, comprising:

a broadcast server, programmed to

the broadcast server using receive from an advertising client one or more  
predetermined constraints defining the one or more target users, to determine a price for the  
advertising spot

search an individual inventory containing a plurality of individuals, each  
of the plurality of individuals having a profile,

compare the one or more predetermined constraints to the profiles of the plurality of individuals to locate matches between the one or more predetermined constraints and the profiles of the plurality of individuals, the matches identifying the one or more target users,

determine from the matches a price for transmitting the advertisement to the one or more target users based on a predetermined formula, and offering

transmit to the an advertising client the advertising spot at the price for the advertiser's acceptance, rejection, or counteroffer; and the advertising client, the advertising client providing to the broadcaster server the predetermined constraint defining the target user for receiving the advertisement, the advertising client ordering the advertising spot based on the price to place the advertisement in the advertising spot to be transmitted to the target user during the transmission of the motion picture. --

(h) Markings to show changes made to claim 9.

-- 9. (Once Amended) A computer readable medium having computer instructions stored thereon that, when loaded into a computer system, cause the computer system to perform a method for ordering an advertising spot for an advertisement over a data network to be transmitted to a one or more target users during a transmission of a motion picture, the method comprising:

providing, by receiving from an advertiser, to a broadcaster a one or more predetermined constraints defining the one or more target users for receiving the advertisement;

using, by the broadcaster, the predetermined constraint to determining a price for the advertising spot using the one or more predetermined constraints;

offering, by the broadcaster, transmitting to the advertiser the advertising spot at the price for the advertising spot; and

ordering, by receiving an order from the advertiser, for the advertising spot based on the price to place the advertisement in the advertising spot to be transmitted to the target user during the transmission of the motion picture. --

(i) Markings to show changes made to claim 10.

-- 10. (Once Amended) A computer readable medium having computer instructions stored thereon that, when loaded into a computer system, cause the computer system to perform a method for determining a price for an advertising spot for transmitting an advertisement to a one or more target users during a motion picture, comprising:

~~receiving providing to a broadcaster, by an advertiser,~~one or more predetermined constraints defining the one or more target users that an advertiser desires to receive the advertisement;

~~searching, by the broadcaster, an individual inventory containing a plurality of individuals, each of the plurality of individuals having a profile;~~ ~~the searching performed to determine the target user by~~

comparing each of the profiles of the plurality of individuals to the one or more predetermined constraints to locate a matches between the profiles of the plurality of individuals and the one or more predetermined constraints, the matches identifying the one or more target users;

determining from the matches a cost-price for ~~each of~~transmitting the advertisement to the plurality of individualsone or more target users based on a predetermined formula; and

~~totaling the costs of each of the plurality of individuals to determine the price for the advertising spot~~transmitting to the advertiser the price for the advertiser's acceptance, rejection, or counteroffer. --

**III. REMARKS**

Applicants respectfully request for this supplemental preliminary amendment to be entered before it is taken up for examination. Applicants assert that no new matter has been added by this amendment and that the amendment places the above-referenced application in better condition for examination. No fee is required with this submission, however, the Commissioner is authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 03-3975. A copy of this amendment is enclosed for that purpose. Please change the attorney reference to "IND-104". Thank you.

Contact the undersigned if there are any questions regarding this amendment.

Respectfully submitted,  
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